

# Bureau of Land Management Douglas County Public Land Auction

## PRIME COMMERCIAL DEVELOPMENT OPPORTUNITY 146 ACRES ± Douglas County, Nevada

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The U.S. General Services Administration, on behalf of the United States Department of the Interior, Bureau of Land Management (BLM), cordially invites your bid to purchase this commercial site located in the exquisite Carson Valley in Nevada.

### Public Auction will be held on December 10, 2002 at:

Douglas County  
Administration Building  
1616 Eighth Street  
Minden, Nevada

REGISTRATION BEGINS AT 8:30AM (PST)  
AUCTION BEGINS AT 10:00AM (PST)

*Hosted by:  
Bureau of Land Management  
Carson City Field Office*

*Auction services provided by the  
U.S. General Services Administration (GSA)*

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### FOR MORE INFORMATION:

**WALK-IN** BLM Carson City Field Office  
5665 Morgan Mill Road  
Carson City, NV  
Daily from 8:00 am to 4:15pm  
(775) 885-6115

**PHONE** CALL 888-GSA-LAND (472-5263)  
DOTTIE GOMEZ X 3427  
FABIAN HUEY X 3408  
GINA ARIAS-ARRIETA X 3431

**WEB** <http://propertydisposal.gsa.gov>  
Click on State of Nevada

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# PROPERTY DESCRIPTION . . . . .

## Description

This sale will consist of one parcel located in Douglas County Nevada. The parcel is comprised of a total of 146± acres of federal land located primarily on the east side of U.S. Highway 395 about 5 miles south of downtown Carson City.

This unimproved tract fronts on U.S. Highway 395 but the frontage is non-continuous, interrupted by several privately owned parcels along the U.S. Highway 395 boundary.

Home Depot, Target, Staples, Wal-Mart, and Costco are either across U.S. Highway 395 from the subject property or in close proximity to it.

## Directions

Property is located approximately 35 miles South of Reno. To view the property take U.S. Highway 395 out of Reno to Carson City. Proceed South on U.S. Highway 395 out of Carson City approximately 5 miles to Topsy Lane. The majority of the property is located on the East side of U.S. Highway 395 between Topsy Lane and North Sunridge Drive.

## Legal Description

Mount Diablo Meridian Township 14 N.,  
Range 20 E.

Section 5

NE $\frac{1}{4}$ NW $\frac{1}{4}$ W $\frac{1}{2}$  of lot 1 of NW $\frac{1}{4}$ ,  
W $\frac{1}{2}$ NW $\frac{1}{4}$ W $\frac{1}{2}$  of lot 1 of NW $\frac{1}{4}$ ,  
NE $\frac{1}{4}$ SW $\frac{1}{4}$ W $\frac{1}{2}$  of lot 1 of NW $\frac{1}{4}$ ,  
W $\frac{1}{2}$ SW $\frac{1}{4}$ W $\frac{1}{2}$  of lot 1 of NW $\frac{1}{4}$ ,  
lots 5-8, 13 and 16, and NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and  
SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;

Section 6

N $\frac{1}{2}$ NE $\frac{1}{4}$ E $\frac{1}{2}$  of lot 1 of NE $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ NE $\frac{1}{4}$ E $\frac{1}{2}$  of lot 1 of NE $\frac{1}{4}$ ,  
NE $\frac{1}{4}$ NW $\frac{1}{4}$ E $\frac{1}{2}$  of lot 1 of NE $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ SW $\frac{1}{4}$ E $\frac{1}{2}$  of lot 1 of NE $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ E $\frac{1}{2}$  of lot 1 of NE $\frac{1}{4}$ , lots 3 and 4,  
9-13, 16-18, and 20, and E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , and  
N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

Containing 146 acres, more or less.

## Zoning

Most of the subject property is zoned General Commercial. This applies to all of the area between Sunridge Drive and Topsy Lane fronting the highway. The area north of Topsy Lane is zoned Tourist Commercial. There is also a small tract adjacent to the existing residential subdivision zoned PF, or public facility. Although federal land is not subject to the zoning designations of local governments, the County and Bureau of Land Management have entered into agreements regarding the proposed sale of the property, which led to the zoning designation. We encourage bidders to contact Douglas County to discuss the zoning designation:

Primary Contact:

Name: Mimi Moss  
Title: Director of Planning &  
Economic Development  
Phone: 775-782-6211

Alternate Contact:

Name: Daniel C. Holler  
Title: Douglas County Manager  
Phone: 775-782-9821

## Access

In addition to U.S. Highway 395, access can be gained from North Sunridge Drive as well as Topsy Lane. North Sunridge Drive at the property's south end forms a 4-way intersection with Jacks Valley Road.

From its south boundary north to Sunridge Drive, the property presents 500 feet of unbroken frontage along U.S. Highway 395. From Sunridge Drive to Topsy Lane is 2,600 feet, the property's direct frontage on U.S. Highway 395 encompasses about 960 feet, with the remaining 1,640 feet encompassed by five separate outparcels. The longest unbroken stretch of frontage is presented by that portion of the property north of Topsy Lane. This stretch encompasses approximately 1,300 feet.

## Utilities/Services

The property is not directly served by utilities, but utilities are present throughout the neighborhood and serve the private property along the property's east boundary. The services available along U.S. Highway 395 include electric power, telephone, fiber optic cable, and natural gas.

The subject property is in the Indian Hills General Improvement District (GID) service area. Indian Hill GID provides both sewage removal and domestic water to residential properties in the area. The sewage treatment plant for Indian Hills GID is on the west side of U.S. Highway 395 south of the property off Hobo Camp Road. Douglas County also has a sewage treatment facility on the east side of U.S. Highway 395 and south of the Carson River, which serves the Saratoga Springs area.

## Reservations/Encumbrances

Patent (title document), will be issued with a reservation for a right-of-way for ditches and canals constructed by the authority of the United States under the Act of August 30, 1890 (43 USC 945), and will be subject to valid existing rights, including rights to Douglas County for Topsy Lane and the following encumbrances of record:

1. Those rights for highway purposes which have been granted to Nevada Department of Transportation by Right-of-Way CC-018400, and its assigns, under the Act of November 9, 1921 (42 Stat. 216).
2. Those rights for gas pipeline purposes which have been granted to Paiute Pipeline Company, and its assigns, by Right-of-Way Nev-064632 and N-17001 under the Act of February 25, 1920 (41 Stat. 0437; 30 USC 185, sec. 28).
3. Those rights for communication line purposes which have been granted to Verizon California, Inc., and its assigns, by Right-of-Way N-353 under the Act of March 4, 1911 (36 Stat. 1253; 43 USC 961) and Rights-of-Way N-16649, N-32152 and N-40377 under the Act of October 21, 1976 (90 Stat. 2776; 43 USC 1761).
4. Those rights for electric line purposes which have been granted to Sierra Pacific Power Company, and its assigns, by Rights-of-Way N-7836 and N-11602 under the Act of March 4, 1911 (36 Stat. 1253; 43 USC 961).

5. Those rights for access road purposes which have been granted to Hilltop Community Church, and its assigns, by Right-of-Way N-39139 under the Act of October 21, 1976 (90 Stat. 2776; 43 USC 1761).

6. Those rights for access road, utility line and gas line purposes which have been granted to Richard and Hazel Wheaton, and its assigns, by Right-of-Way N-56235 under the Act of October 21, 1976 (90 Stat. 2776; 43 USC 1761) and Right-of-Way N-75420 under the Act of February 25, 1920 (41 Stat. 0437; 30 USC 185, sec. 28).

7. Those rights for access road and utility line purposes which have been granted to Douglas County, and its assigns, by Right-of-Way N-56768 under the Act of October 21, 1976 (90 Stat. 2776; 43 USC 1761).

8. Those rights for access road purposes which have been granted to Norman and Betty Metcalf and Anne Sullivan, and its assigns, by Right-of-Way N-56867 under the Act of October 21, 1976 (90 Stat. 2776; 43 USC 1761).

9. Those rights for gas line purposes which have been granted to Southwest Gas Corporation, and its assigns, by Right-of-Way N-59816 under the Act of February 25, 1920 (41 Stat. 0437; 30 USC 185, sec. 28).

## **Notes**

The total acreage of land encumbered by the various rights-of-way is approximately 31 acres.

There are some unauthorized minor improvements on public land within the sale area. These improvements consist of portions of a play area, pond and aviary. Public lands would be offered for sale as is (with improvements in place).

**We strongly recommend that you review the encumbrance information prior to bidding.**

Detailed information concerning the reservations, encumbrances, and environmental documents are available for review at the Bureau of Land Management Office, Carson City Field Office, 5665 Morgan Mill Road, Carson City, Nevada 89701, or by calling 775-885-6115.

# GENERAL AND SPECIAL TERMS AND CONDITIONS

## Authority

The property offered for sale meets sale criteria under Section 203 of The Federal Land Policy and Management Act (FLPMA) of 1976 (90 Stat. 2750, 43 USC 1713 and 1719) and is identified for disposal from federal ownership in the Carson City Consolidated Resource Management Plan and the North Douglas Specific Area Plan Amendment.

## Location of Property

Page 10 of this brochure includes a map illustrating the location of the sale parcel. **We strongly recommend that you inspect the parcel prior to bidding.** Questions about zoning, taxes, etc., should be referred to the appropriate Douglas County official.

## General Auction Procedures

The property identified within this brochure will be offered for sale by public oral auction on December 10, 2002, at 10:00 a.m. PST. All bidders participating in the oral auction must register to bid beginning at 8:30 a.m. PST. Bidders are advised to register as early as possible on Auction Day. If you plan to bid on the property, complete and bring the enclosed SALE BID & CERTIFICATE OF ELIGIBILITY. This form may be reproduced. If sealed bids have been received, the highest qualified bid received for the property is the amount at which the oral bidding will begin. The Property will be sold to the highest qualified bidder, whether by sealed or oral bid. The apparent high bidder, if oral bidder, must submit the required bid deposit by 4:15 pm on the day of the auction. If the parcel does not sell, it may be held over to be offered at a future auction or on the Internet.

## Terms of Sale

The parcel **will not** be sold for less than its appraised fair market value of \$6,500,000.00. At close of the auction, the highest qualified bid will be announced. If the person declared to have entered the highest qualifying bid did so at the oral auction, payment for not less than one-fifth (20%) of the amount of the bid must be submitted by 4:15 p.m. on the day of the auction. You must pay the balance within 180 days of the date of the sale. **Failure to pay the full price within 180 days, shall disqualify your bid and you will forfeit your bid deposit to the BLM.**

## Title Issuance

The BLM will issue a patent (an instrument of conveyance of title to Government lands, similar to a deed) after receiving payment in full. If you mail your payment, it must be in the form of a certified check, postal money order, bank draft, or cashiers check made payable to DOI Bureau of Land Management. If you deliver final payment to the BLM Carson City Field Office, either cash or a personal check will also be accepted. The patent will be issued to the name(s) as shown on the SALE BID & CERTIFICATE OF ELIGIBILITY and will be mailed to the address provided there. You must comply with all terms of the sale, as directed in the **"High Bidder Declared" decision letter issued 30 days after the auction**, and remit payment in full within 180 calendar days from the date of sale. Name changes (whether individual, partnership, corporate, trustee, etc.) received by BLM after the "High Bidder Declared" decision letter is sent will NOT be accepted.



## **Sale and Conveyance**

The sale and conveyance of the property shall be made subject to the following:

a. All covenants, easements, reservations, restrictions and encumbrances, whether of record or not.

b. Any statement of facts which a physical inspection and accurate survey of the property may disclose.

## **Hold Harmless**

The purchaser/patentee, by accepting a patent, agrees to indemnify, defend, and hold the United States harmless from any costs, damages, claims, causes of action, penalties, fines, liabilities, and judgments of any kind or nature arising from the past, present, and future acts or omissions of the patentee or their employees, agents, contractors, or lessees, or any third-party, arising out of or in connection with the patentee's use, occupancy, or operations on the patented real property. This indemnification and hold harmless agreement includes, but is not limited to, acts and omissions of the patentee and their employees, agents, contractors, or lessees, or any third party, arising out of or in connection with the use and/or occupancy of the patented real property which has already resulted or does hereafter result in:

(1) Violations of federal, state, and local laws and regulations that are now or may in the future become, applicable to the real property;

(2) Judgments, claims or demands of any kind assessed against the United States;

(3) Costs, expenses, or damages of any kind incurred by the United States;

(4) Other releases or threatened releases of solid or hazardous waste(s) and/or hazardous substances(s), as defined by federal or state environmental laws; off, on, into or under land, property and other interests of the United States;

(5) Other activities by which solids or hazardous substances or wastes, as defined by federal and state environmental laws are generated, released, stored, used or otherwise disposed of on the patented real property, and any cleanup response, remedial action or other actions related in any manner to said solid or hazardous substances or wastes; or

(6) Natural resource damages as defined by federal and state law.

This covenant shall be construed as running with the patented real property and may be enforced by the United States in a court of competent jurisdiction.

## Eligibility of Bidders

United States citizens who are 18 years of age or older; corporations subject to the laws of any state of the United States; a State, State instrumentality or political subdivision authorized to hold property; and any entity legally capable of conveying and holding lands or interests therein under the laws of the State of Nevada may purchase the subject property.

## Fair Market Value Determination

To determine the fair market value of the sale parcel through appraisals, the BLM had to make a number of assumptions regarding the attributes and limitations of the lands and potential effects of local regulations and policies on potential future land uses. Through this publication, the BLM gives notice that these assumptions may not be endorsed or approved by units of local government. Furthermore, no warranty of any kind shall be given or implied by the United States regarding the potential uses of the selected lands, and conveyance of the lands will **not** be on a contingency basis. It is the buyer's responsibility to be knowledgeable of the subject lands and to be aware of all applicable local government policies and regulations that would affect the sale parcel. When conveyed out of Federal ownership, the lands will be subject to any applicable reviews and approvals by units of local government for proposed future uses, and any such reviews and approvals would be the buyer's responsibility. Any land lacking access from a public road or highway will be conveyed as such, and the future acquisition will be the responsibility of the buyer.

## Verification of Zoning

Verification of the present zoning and determination of permitted uses thereunder, along with compliance of the property for present or proposed future use, shall be the responsibility of the bidder and the Government makes no representation in regard thereto. The Government does not guarantee that any zoning information is necessarily accurate or will remain unchanged. Any inaccuracies or changes in the zoning information shall **not** be cause for adjustment or rescission of any contract resulting from this Sale.

## Mineral Interests

Conveyance of the available mineral interests will occur simultaneously with the sale of the land. The mineral interests being offered for sale have no known mineral value. Acceptance of a sale offer will constitute an application for conveyance of those mineral interests. In conjunction with the final payment, the applicant will be required to pay a \$50.00 non-refundable filing fee for processing the conveyance of the mineral interests.

Subpart 2720 of 43 Code of Federal Regulations (CFR) sets forth the procedures for the conveyance. Section 2720.1-2 explains the requirements for applying for conveyance. You can review copies of these regulations at BLM's Carson City Field Office.

## Unsold Property

If the parcel is not sold at the public auction, the parcel may be offered online at a later date. If the unsold property is subsequently offered online, GSA will contact all previously registered bidders. If other potential bidders come to the attention of BLM subsequent to the public auction, BLM reserves the right to allow them to bid on any online auction. BLM may or may not re-advertise the property for the online auction.

## Submission of Comments

Any comments received during this process, as well as your name and address, will be available to the public in the administrative record and/or pursuant to a Freedom of Information Act request. You may indicate for the record that you do not wish your name and/or address made available to the public. The BLM will release or withhold the names and/or addresses of those who comment, on a case-by-case basis. Any request to have a name and/or address withheld from public release will be honored to the extent permissible by the law.

## Additional Information

The GSA issuing office, will, upon request, provide additional copies of this brochure and answer requests for additional available information concerning the property offered to facilitate preparation of bids. The address is:

General Services Administration,  
Property Disposal Division (9PR)  
450 Golden Gate Ave., 4th Floor East  
San Francisco, CA 94102-3434

Each bid shall be deemed to have been made with full knowledge of all terms, conditions and requirements contained in this IFB.

## Disclaimer

BLM believes that all the information contained in this brochure and any accompanying materials, if applicable, is correct to the best of its knowledge. Information was obtained from public records, public officials, vendors, and other sources deemed to be reliable, however the accuracy of the information cannot be guaranteed and no representations should be made upon it. BLM assumes no responsibility for inaccurate information. **It is highly recommended that all bidders complete their own due diligence before bidding on the property.** BLM is not responsible for errors or omissions in the publishing of this brochure and any accompanying materials, if applicable.



# SEALED BID INSTRUCTIONS . . . . .

1. The bid form to be used is the official form included in this brochure. Please have forms filled out completely and legibly. Copies of the bid form are acceptable. However, any changes to the form or bids submitted in other formats are unacceptable and will disqualify your bid.
2. Bids must be for not less than the appraised fair market value of \$6,500,000.00. A deposit of ten percent (10%) of the amount bid in the form of a certified check, money order, or cashier's check payable to DOI, Bureau of Land Management **must** accompany your bid. No personal checks will be accepted for sealed bids. The highest qualified sealed bid will become the starting bid for the oral auction. If no sealed bids are received, oral bidding will begin at the appraised fair market value of \$6,500,000.00. **Your bid must be accompanied by a \$50.00 non-refundable filing fee for the mineral interests.** Failure to include these deposits with your bid will result in disqualification of your bid.
3. Mail or deliver your bid no later than 4:15PM, PST, December 6, 2002 to:  
  
BLM Carson City Field Office  
5665 Morgan Mill Road  
Carson City, NV 89701
4. Enclose your bid in an envelope including your name and return address on the outside. Include the following notation on the front lower left-hand corner:

**SEALED BID**  
**"Bid for Land Sale N-75369,**  
**December 10, 2002"**

**NOTICE:** The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by the Bid for Public Lands.

**AUTHORITY:** Public Law 96-586 of December 23, 1980 (94 Stat. 3381), and Public Law 105-263 of October 19, 1998 (112 Stat. 2343).

**PRINCIPAL PURPOSE:** The information is to be used to process your bid.

**ROUTINE USES:** (1) The adjudication of the bidder's rights to the land or resources. (2) Documentation for public information in support of notations made on land status records for the management, disposal, and use of public lands and resources. (3) Transfer to appropriate Federal agencies when concurrence is required prior to granting a right in public lands or resources. (4) Information from the record and/or transfer of the record to appropriate Federal, state, local, or foreign agencies, when relevant to civil, criminal, or regulatory investigations or prosecutions.

**EFFECT OF NOT PROVIDING INFORMATION:** Disclosure of the information is voluntary. However, if all the information is not provided, your bid may be rejected.

**IMPORTANT:** If your bid is declared the high bid and you are offered the land, patent will be issued in the name of the party or parties whose name(s) appear on the Bid Form as the bidder(s). Should you wish to change to patentee, it must be done in writing within 30 days of the date of the sale. Name changes must be accompanied by a new bid form.

.....



**Bid Form**  
**UNITED STATES DEPARTMENT OF THE INTERIOR**  
**BUREAU OF LAND MANAGEMENT**

**Sale Bid & Certificate of Eligibility**  
Read all instructions before completing this form.

**Serial Number** \_\_\_\_\_

**Amount of Bid \$** \_\_\_\_\_

**TOTAL AMOUNT ENCLOSED \$** \_\_\_\_\_

NOTE: Individuals taking title together should check "Individual" box and each sign below.

**INDIVIDUAL** ( ) I certify that I am a citizen of the United States, 18 years of age or older, and am not an employee of the U.S. Department of the Interior.

**PARTNERSHIP** ( ) I certify that I am qualified as specified above for an individual. (If the recorded articles of incorporation for the partnership or association authorize certain persons to sign for the partnership or association, only those persons' signatures are acceptable. If there are no articles of incorporation or the articles are not of record, each member of the partnership or association must sign this certificate).

**CORPORATION** ( ) I certify that I am an officer of the corporation named, which is organized under the laws of the United States or any state thereof, and that I am authorized by the corporation to purchase this land.

**PRINT your name and write your signature below. Married women should sign their given name (i.e. Mary Ellen Jones, not Mrs. John Jones).**

\_\_\_\_\_  
Name of Individual or Corporation Name

\_\_\_\_\_  
Name of Individual or Corporation Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

Send patent to this address: \_\_\_\_\_

Name and phone number of point of contact: \_\_\_\_\_

**NOTE: A mineral conveyance application fee of \$50.00 is required by BLM at time of closing.**

## **WHO MAY PURCHASE PUBLIC LAND?**

- (a) A citizen of the United States 18 years of age or older;
- (b) A corporation subject to the laws of any State or of the United States;
- (c) A State, State instrumentality or political subdivision authorized to hold property;  
and
- (d) An entity legally capable of conveying and holding lands or interests therein  
under the laws of the State within which the lands to be conveyed are located.  
Where applicable, the entity shall also meet the requirements of paragraphs (a)  
and (b) of this section.

## **INFORMATION REGARDING COMPETITIVE SALES**

Bids may be made by a principal or a duly qualified agent.

The acceptance or rejection of any offer to purchase shall be in writing no later than 30 days after receipt of such offer unless the offerer waives his right to a decision within such 30-day period.

Until the acceptance of the offer and payment of the purchase price, the bidder has no contractual or other rights against the United States, and no action taken shall create any contractual or other obligations of the United States.

## **NAME CHANGES**

Requests to change the name (whether individual, partnership, corporate, trustee, etc.) of the patentee from the name in which the bid was made must take place prior to issuance by BLM of the HIGH BIDDER notification issued within 30 days of December 10, 2002. Request for changes received after that date will be rejected.

If you are bidding as an agent for someone who will want the patent issued in their name, please notify BLM on December 10, 2002 when you make your payment. You will be given a new Bid Form to be completed by the intended patentee. If that form is not received by BLM by January 9, 2003, and upon receipt of final payment, BLM will issue the patent to the name on the Bid Form initially submitted.